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5 Attorneys for Defendants

6 THE REGENTS OF THE UNIVERSITY OF  
7 CALIFORNIA, ROBERT BIRGENEAU  
CONSTANCE PEPPERS CELAYA, ADAN  
8 TEJADA, VICTORIA HARRISON, ALLAN  
KOLLING, TOM KLATT and SUSAN VON  
9 SEEBURG

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12  
13 CHRISTINE CHANG, individually and as  
Guardian ad Litem for ERIC SUN,  
14 disabled,

15 Plaintiff,

16 v.

17 ROCKRIDGE MANOR  
CONDOMINIUM, et al.,

18 Defendants.  
19

Case No. C-07-4005 EMC

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO DISMISS  
PURSUANT TO FRCP 12(b)(6) OR, IN  
THE ALTERNATIVE, MOTION FOR  
SUMMARY JUDGMENT [F.R.C.P. 56]**

Date: April 23, 2008  
Time: 10:30 a.m.  
Courtroom: C  
Judge: Magistrate Judge Edward M. Chen

20 The motion of Defendants ROBERT BIRGENEAU, CONSTANCE PEPPERS CELAYA,  
21 ADAN TEJADA, VICTORIA HARRISON and SUSAN VON SEEBURG for an order  
22 dismissing the First Amended Complaint pursuant to FRCP 12(b)(6), or in the alternative, for  
23 Summary Judgment pursuant to FRCP 56, came on for hearing on April 23, 2008. Defendants  
24 appeared through GayLynn Kirn Conant of Lombardi, Loper & Conant, LLP, and plaintiff,  
25 Christine Chang, appeared in *propria persona*. The court, having read and considered the motion  
26 and supporting papers, opposition papers and good cause appearing:

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1 IT IS HEREBY ORDERED:

2 Defendants' Motion to Dismiss is GRANTED, in its entirety, without leave to amend, on  
3 the following grounds: Each of the claims asserted against defendants fail to state facts sufficient  
4 to state a cause of action and are otherwise barred by the implied immunity doctrine and  
5 California Government Code immunities.

6 Defendants' alternative Motion for Summary Judgment is GRANTED, in its entirety, on  
7 the grounds that there is no genuine issue of material fact and defendants are entitled to judgment  
8 as a matter of law with respect to each of the claims conceivably raised in the instant First  
9 Amended Complaint.

10 IT IS SO ORDERED.

11 DATED April \_\_\_, 2008

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14 HONORABLE EDWARD M. CHEN  
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